

**REMARKS**

Applicants appreciate the courtesies extended to Applicants' representative by Examiner Shameem during the telephonic interviews held on August 26, 2009 and September 1, 2009.

As agreed upon during the interviews, claims 1-4, 6 and 9-11 have been amended to place them in more conventional form according to U.S. practice by making minor editorial changes that are self-explanatory; non-elected claim 8 has been amended to recite a method claim in order to place it in condition for rejoinder; and claims 5 and 7 have been cancelled without prejudice or disclaimer.

The Examiner has rejected claims 1-4, 6 and 9-11 for obviousness-type double patenting as being unpatentable over claims 1-7 and 9 of U.S. Serial No. 10/593,461, and also over claims 1 and 2 of U.S. Serial No. 11/488,854.

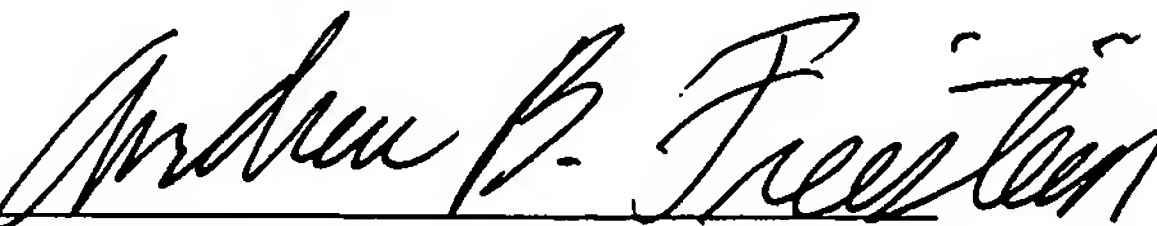
Applicants submit concurrently herewith a Terminal Disclaimer over U.S. Serial No. 10/593,461, overcoming the rejection of claims 1-4, 6 and 9-11.

As agreed upon during the second telephonic interview, the rejection of claims 1-4, 6 and 9-11 over claims 1 and 2 of U.S. Serial No. 11/488,854 will be withdrawn upon allowance of the present application, because the present application was filed before U.S. Serial No. 11/488,854.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Should the Examiner find that anything further is necessary in order to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

Peter HEROLD et al.

By 

Andrew B. Freistein  
Registration No. 52,917  
Attorney for Applicants

ABF/vah  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
September 10, 2009